

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DR RC SAMANTA ROY INSTITUTE OF
SCIENCE AND TECHNOLOGY, et al.,

Plaintiff,

v.

Case No. 05-C-753

JOURNAL BROADCAST GROUP INC.,

Defendant.

ORDER

On July 15, 2005, the defendant filed a complaint in the above action, but failed to serve the defendant. On January 4, 2006, the court sent notice to the plaintiff pursuant to Civil L.R. 41.1 that the action would be dismissed 21 days from the date of the notice based upon the failure to serve the defendant. There was no response to the court's notice, and on February 3, 2006, the court entered an order dismissing the action without prejudice for failure to prosecute. On February 6, 2006, the defendant, unaware of the court's previous action, filed a Motion to Dismiss for failure to prosecute. Since the relief requested has already been provided, the motion will be denied as moot.

SO ORDERED this 7th day of February, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge